



General Assembly

Distr.: General
11 March 2004

Fifty-eighth session
Agenda item 94 (b)

Resolution adopted by the General Assembly

[on the report of the Second Committee (A/58/484/Add.2)]

58/242. Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

The General Assembly,

Recalling its resolutions 56/196 of 21 December 2001 and 57/259 of 20 December 2002 and other resolutions relating to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,¹

Recognizing the strong commitment of the international community, demonstrated at the World Summit on Sustainable Development² and the Second Assembly of the Global Environment Facility, to make the Facility available as a financial mechanism of the Convention, pursuant to article 21 of the Convention,

Recognizing also the role of the Conference of the Parties to the Convention, as the highest decision-making body, in providing guidance on matters regarding the implementation of the Convention and in encouraging financial mechanisms to seek to maximize the availability of resources for affected developing countries, while respecting the respective mandates of the mechanisms,

Reaffirming that the Convention is an important tool for poverty eradication, particularly in Africa, and recognizing the importance of the implementation of the Convention for meeting the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,³

Reaffirming also the universal membership of the Convention, and acknowledging that desertification and drought are problems of a global dimension, in that they affect all regions of the world,

¹ United Nations, *Treaty Series*, vol. 1954, No. 33480.

² *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

³ See resolution 55/2.

Expressing its deep appreciation and gratitude to the Government of Cuba for hosting the sixth session of the Conference of the Parties to the Convention in Havana from 25 August to 5 September 2003,

1. *Takes note of the report of the Secretary-General;*⁴
2. *Welcomes the decision of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, at its sixth session, to accept the Global Environment Facility as a financial mechanism of the Convention, pursuant to article 21 of the Convention;*
3. *Also welcomes the decision of the Council of the Global Environment Facility at its meeting, held in Washington, D.C., from 14 to 16 May 2003, to establish a new operational programme on sustainable land management, and, in that regard, urges the Executive Secretary, in collaboration with the Managing Director of the Global Mechanism, to consult with the Chief Executive Officer and Chairman of the Global Environment Facility, with a view to preparing and agreeing upon a memorandum of understanding, as mandated by the Conference of the Parties, for the consideration of and adoption by the Conference of Parties and the Council of the Global Environment Facility;*
4. *Further welcomes the outcome of the Second Assembly of the Global Environment Facility, held in Beijing from 16 to 18 October 2002, in particular the decision to designate land degradation as a new focal area of the Facility, which will, inter alia, support the implementation of the Convention;*
5. *Notes with appreciation the increased number of affected developing country parties that have adopted their national, subregional and regional action programmes, and urges affected developing countries that have not yet done so to accelerate the process of elaboration and adoption of their action programmes, with a view to finalizing them as soon as possible;*
6. *Invites affected developing countries to place the implementation of their action programmes to combat desertification high among their priorities in their dialogue with their development partners;*
7. *Calls upon affected parties, with the collaboration of relevant multilateral organizations, including the Global Environment Facility implementation agencies, to integrate desertification into their strategies for sustainable development;*
8. *Urges the international community to take effective measures for the implementation of the Convention through bilateral and multilateral cooperation programmes;*
9. *Urges the United Nations funds and programmes, the Bretton Woods institutions, the donor countries and other development agencies to integrate actions in support of the Convention in their strategies to support the achievement of internationally agreed development goals, including those contained in the United Nations Millennium Declaration;*³
10. *Welcomes the strengthened cooperation between the secretariat of the Convention and the Global Mechanism through the elaboration and implementation of a joint work plan aimed at maximizing the impact of resources and actions,*

⁴ A/58/158.

avoiding duplication and overlap and tapping into the expertise, added value and network of each organization in a collaborative manner as action programmes are implemented;

11. *Invites* all parties to pay promptly and in full the contributions required for the core budget of the Convention for the biennium 2002-2003, and urges all parties that have not yet paid their contributions for the year 1999 and/or the biennium 2000-2001 to do so as soon as possible in order to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the secretariat and the Global Mechanism;

12. *Calls upon* Governments, and invites multilateral financial institutions, regional development banks, regional economic integration organizations and all other interested organizations, as well as non-governmental organizations and the private sector, to contribute generously to the General Fund, the Supplementary Fund and the Special Fund, in accordance with the relevant paragraphs of the financial rules of the Conference of the Parties,⁵ and welcomes the financial support already provided by some countries;

13. *Takes note* of Conference of the Parties decision 23/COP.6 of 5 September 2003 on the programme and budget for the biennium 2004-2005,⁶ as an ongoing process of the Conference of the Parties to undertake a comprehensive review of the activities of the secretariat, as defined in article 23, paragraph 2, of the Convention,

14. *Requests* the Secretary-General to make provision for the sessions of the Conference of the Parties and its subsidiary bodies, including the seventh ordinary session of the Conference and the meetings of its subsidiary bodies, in his proposal for the programme budget for the biennium 2004-2005;

15. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa".

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⁵ ICCD/COP (1)/11/Add.1 and Corr.1, decision 2/COP.1, annex, paras. 7-11.

⁶ See ICCD/COP(6)/11/Add.1.



General Assembly

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13 February 2004Fifty-eighth session
Agenda item 94 (f)

Resolution adopted by the General Assembly

*[on the report of the Second Committee (A/58/484/Add.6)]***58/243. Protection of global climate for present and future generations of mankind***The General Assembly,*

Recalling its resolution 54/222 of 22 December 1999, its decision 55/443 of 20 December 2000 and its resolutions 56/199 of 21 December 2001 and 57/257 of 20 December 2002 and other resolutions relating to the protection of the global climate for present and future generations of mankind,

Recalling also the provisions of the United Nations Framework Convention on Climate Change,¹ including the acknowledgement that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Recalling further the Johannesburg Declaration on Sustainable Development,² the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation")³ and the Delhi Ministerial Declaration on Climate Change and Sustainable Development, adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change at its eighth session, held in New Delhi from 23 October to 1 November 2002,⁴

Noting that one hundred and eighty-eight States and one regional economic integration organization have ratified the Convention,

Remaining deeply concerned that all countries, in particular developing countries, including the least developed countries and small island developing States, face increased risks from the negative impacts of climate change,

¹ United Nations, *Treaty Series*, vol. 1771, No. 30822.

² *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.IIA.1 and corrigendum), chap. I, resolution 1, annex.

³ *Ibid.*, resolution 2, annex.

⁴ FCCC/CP/2002/7/Add.1, decision 1/CP.8.

Noting the work of the Intergovernmental Panel on Climate Change and the need to build and enhance scientific and technological capabilities, inter alia, through continuing support to the Panel for the exchange of scientific data and information, especially in developing countries,

Noting also that, to date, the Kyoto Protocol to the United Nations Framework Convention on Climate Change⁵ has attracted one hundred and nineteen ratifications, including from parties mentioned in annex I to the Convention, who account for 44.2 per cent of emissions,

Recalling the United Nations Millennium Declaration,⁶ in which heads of State and Government resolved to make every effort to ensure the entry into force of the Kyoto Protocol, preferably by the tenth anniversary of the United Nations Conference on Environment and Development in 2002, and to embark on the required reduction in emissions of greenhouse gases,⁷

Taking note of the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention,⁸

1. *Calls upon* States to work cooperatively towards achieving the ultimate objective of the United Nations Framework Convention on Climate Change;¹
2. *Notes* that States that have ratified the Kyoto Protocol to the United Nations Framework Convention on Climate Change⁵ strongly urge States that have not already done so to ratify it in a timely manner;
3. *Notes with interest* the preparations undertaken for the implementation of the flexible mechanisms established by the Kyoto Protocol;
4. *Notes* the ongoing work of the liaison group of the secretariats and officers of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,⁹ and the Convention on Biological Diversity,¹⁰ and encourages cooperation to promote complementarities among the three secretariats while respecting their independent legal status;
5. *Requests* the Secretary-General to make provisions for the sessions of the Conference of the Parties to the United Nations Framework Convention on Climate Change and its subsidiary bodies in his proposal for the programme budget for the biennium 2004-2005;
6. *Invites* the Executive Secretary of the United Nations Framework Convention on Climate Change to report to the General Assembly at its fifty-ninth session on the work of the Conference of the Parties;
7. *Invites* the conferences of the parties to the multilateral environmental conventions, when setting the dates of their meetings, to take into consideration the

⁵ FCCC/CP/1997/7/Add.1, decision 1/CP.3, annex.

⁶ See resolution 55/2.

⁷ Ibid., para. 23.

⁸ A/58/308.

⁹ United Nations, *Treaty Series*, vol. 1954, No. 33480.

¹⁰ Ibid., vol. 1760, No. 30619.

schedule of meetings of the General Assembly and the Commission on Sustainable Development so as to ensure the adequate representation of developing countries at those meetings;

8. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Protection of global climate for present and future generations of mankind".

*79th plenary meeting
23 December 2003*



General Assembly

Distr.: General
19 February 2004

Fifty-eighth session
Agenda item 110

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/501)]

58/244. Future operation of the International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolutions 55/219 of 23 December 2000, 56/125 of 19 December 2001 and 57/175 of 18 December 2002,

Recalling also that, in its resolution 56/125, it decided to establish a working group mandated to make recommendations to the General Assembly on the future operation of the International Research and Training Institute for the Advancement of Women,

Reaffirming its resolution 57/311 of 18 June 2003 on the financial situation of the Institute,

Welcoming Economic and Social Council resolution 2003/57 of 24 July 2003, in which the Council decided to amend articles III and IV of the statute of the Institute,

Welcoming also the efforts and the consistency in the work of the Working Group on the Future Operation of the International Research and Training Institute for the Advancement of Women in promoting a comprehensive approach to the revitalization and strengthening of the Institute, which has led to the adoption of important institutional and political changes that are contributing to the strengthening of the Institute,

1. *Welcomes* the report of the Working Group on the Future Operation of the International Research and Training Institute for the Advancement of Women,¹ in which the Working Group, inter alia, reaffirmed the mandate of the Institute in the field of gender equality and the advancement of women and stressed the need for it to be reformed and revitalized, as recommended in its previous report² and endorsed by the General Assembly in its resolution 57/175;

¹ A/58/540.

² A/57/330 and Add.1.

2. *Decides* to continue monitoring the implementation of the measures recommended by the Working Group in its report,² in close consultation with the Secretary-General;

3. *Stresses* the critical importance of voluntary financial contributions by Member States to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women to enable it to carry out its mandate;

4. *Urges* Member States to make voluntary contributions to the Trust Fund, particularly during this critical transitional period;

5. *Decides* to continue to provide its full support to the current efforts to revitalize the Institute and, in this regard, to provide funds complementary to the existing ones, if needed, to ensure that the Institute will have adequate resources to function for a period of one year and to submit its report to the General Assembly as requested in resolution 57/311, in the light of the delay in appointing a Director to implement a feasible work programme and fund-raising activities;

6. *Also decides* to request the Working Group to continue monitoring the implementation of the recommendations and measures contained in its report² until the new executive board convenes its first session;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

*79th plenary meeting
23 December 2003*



General Assembly

Distr.: General
26 February 2004

Fifty-eighth session
Agenda item 113

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/504)]

58/245. Office of the Special Representative of the Secretary-General for Children and Armed Conflict

The General Assembly,

Recalling paragraphs 35 to 37 of its resolution 51/77 of 12 December 1996 on the rights of the child, in which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was established,

Recalling also its resolution 57/190 of 18 December 2002, in which it requested the Secretary-General to undertake a comprehensive assessment of the scope and effectiveness of the United Nations system response to the issue of children affected by armed conflict, including recommendations for strengthening, mainstreaming, integrating and sustaining those activities,

Taking note of the report of the Special Representative of the Secretary-General for Children and Armed Conflict¹ and his oral statement to the Third Committee of the General Assembly on 20 October 2003,²

Recalling the role of the General Assembly in promoting the protection of children affected by armed conflict,

Recognizing the progress achieved since the establishment of the mandate of the Special Representative and the recommendation by which the Secretary-General extended the mandate of the Special Representative for a further period of three years,

Commending the support and the voluntary contributions of donor countries for the work of the Special Representative in the fulfilment of his mandate,

Expressing concern about the financial instability of the Office of the Special Representative and its adverse impact on the implementation of the mandate,

¹ See A/58/328 and Corr.1.

² See *Official Records of the General Assembly, Fifty-eighth Session, Third Committee, 18th meeting (A/C.3/58/SR.18)*, and corrigendum.

Decides that the activities under the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict shall be supported through regular budgetary funding.

*79th plenary meeting
23 December 2003*



General Assembly

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11 March 2004

Fifty-eighth session
Agenda item 117 (b)

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/508/Add.2)]

58/246. Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

The General Assembly,

Recalling its resolution 56/168 of 19 December 2001, by which it decided to establish an Ad Hoc Committee open to the participation of all Member States and observers to the United Nations, to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on a holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development,

Recalling also its resolution 57/229 of 18 December 2002, as well as relevant resolutions of the Commission for Social Development and the Commission on Human Rights,

Reaffirming the universality, indivisibility and interdependence of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,

Convinced of the contribution that a convention can make in this regard,

Encouraging Member States and observers to participate actively in the Ad Hoc Committee in order to present to the General Assembly, as a matter of priority, a draft text of a convention,

Stressing the importance of the active participation of intergovernmental and non-governmental organizations and national human rights institutions in the work of the Ad Hoc Committee, and their valuable contribution to the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities,

Recognizing the important contributions made thus far to the Ad Hoc Committee by all stakeholders,

1. *Welcomes* the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;¹

2. *Requests* the Secretary-General to transmit the report of the Ad Hoc Committee to the Commission for Social Development at its forty-second session and to the Commission on Human Rights at its sixtieth session, and further requests both Commissions to continue to contribute to the work of the Ad Hoc Committee;

3. *Endorses* the decision of the Ad Hoc Committee to establish a Working Group with the aim of preparing and presenting a draft text, which would be the basis for negotiations on the draft convention in the Ad Hoc Committee, taking into account all contributions;²

4. *Notes* that the Working Group will present the outcome of its work on a draft text to the Ad Hoc Committee at the third session of the Committee;

5. *Decides* that the Ad Hoc Committee shall start the negotiations on a draft convention at its third session;

6. *Decides also* that the Ad Hoc Committee shall hold, within existing resources, two sessions in 2004 of ten working days each, prior to the fifty-ninth session of the General Assembly;

7. *Underlines* the importance of strengthening the cooperation and coordination between the Office of the United Nations High Commissioner for Human Rights and the Department of Economic and Social Affairs of the Secretariat in order to support jointly the work of the Ad Hoc Committee;

8. *Urges* that further efforts be made to ensure the active participation of non-governmental organizations in the Ad Hoc Committee, in accordance with General Assembly resolution 56/510 of 23 July 2002 and based on the decision of the Ad Hoc Committee on the modalities for the participation of non-governmental organizations in its work;

9. *Stresses* the need for additional efforts to ensure accessibility at the United Nations, with reasonable accommodation regarding facilities and documentation, for all persons with disabilities, in accordance with General Assembly decision 56/474 of 23 July 2002;

10. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work;

11. *Encourages* Member States to continue to include in their delegations to the meetings of the Ad Hoc Committee persons with disabilities and/or other experts in the field;

12. *Urges* Member States, observers, civil society and the private sector to contribute to the voluntary fund established pursuant to its resolution 57/229 to support the participation of non-governmental organizations and experts from developing countries, in particular least developed countries, in the work of the Ad Hoc Committee;

¹ See A/58/118 and Corr.1.

² See A/58/118, para. 15.

13. *Requests* the Secretary-General to transmit a comprehensive report of the Ad Hoc Committee to the General Assembly at its fifty-ninth session and to report on the implementation of paragraphs 7, 8 and 9 of the present resolution.

*79th plenary meeting
23 December 2003*



General Assembly

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11 March 2004

Fifty-eighth session
Agenda item 117 (c)

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/508/Add.3)]

58/247. Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other human rights instruments,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in the field,

Aware that Myanmar is a party to the Convention on the Rights of the Child,³ the Convention on the Elimination of All Forms of Discrimination against Women,⁴ the Convention on the Prevention and Punishment of the Crime of Genocide⁵ and the Geneva Conventions of 12 August 1949 for the protection of victims of war,⁶ as well as the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29) and the Convention concerning Freedom of Association and Protection of the Right to Organize, 1948 (Convention No. 87), of the International Labour Organization,

Bearing in mind Security Council resolution 1460 (2003) of 30 January 2003 on children and armed conflict and the report of the Secretary-General pursuant thereto,⁷

Recalling its previous resolutions on the subject, the most recent of which is resolution 57/231 of 18 December 2002, those of the Commission on Human Rights, the most recent of which is resolution 2003/12 of 16 April 2003,⁸ and resolution I

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ Resolution 44/25, annex.

⁴ Resolution 34/180, annex.

⁵ Resolution 260 A (III).

⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

⁷ A/58/546-S/2003/1053 and Corr.1.

⁸ See *Official Records of the Economic and Social Council, 2003, Supplement No. 3 (E/2003/23), chap. II, sect. A.*

adopted by the International Labour Conference at its eighty-eighth session, on 14 June 2000, concerning the practice of forced or compulsory labour in Myanmar,

Affirming that the will of the people is the basis of the authority of government and that the will of the people of Myanmar was clearly expressed in the elections held in 1990,

Affirming also that the establishment of a genuine democratic government in Myanmar is essential for the realization of all human rights and fundamental freedoms,

Recognizing that good governance, democracy, the rule of law and respect for human rights are essential to achieving sustainable development and economic growth,

Taking note of the increasing awareness of the Government of Myanmar of the need to comprehensively address the production of opium in Myanmar,

Taking note also of the road map for the transition to democracy announced by the Prime Minister of Myanmar on 30 August 2003,

1. *Welcomes:*

(a) The visits to Myanmar by the Special Envoy of the Secretary-General for Myanmar during the past year and the visits by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar;

(b) Efforts by the international community, including support from countries in the region, to encourage the Government of Myanmar to resume its efforts towards national reconciliation and dialogue, pursuant to acknowledging the importance of strengthening democracy as a fundamental element of regional security;

(c) The report of the Secretary-General;⁹

(d) The interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar;¹⁰

(e) The agreement, reached on 27 May 2003, on the Joint Government of the Union of Myanmar-International Labour Organization Plan of Action for the Elimination of Forced Labour Practices in Myanmar, including the agreement to an independent facilitator to assist possible victims of forced labour, while noting that the conditions for the implementation of the Plan of Action do not exist at present;

(f) The continued cooperation of the Government of Myanmar with the International Committee of the Red Cross;

2. *Expresses its grave concern at:*

(a) The events of 30 May 2003, the corresponding, subsequent and continuing violations of human rights, which constitute a serious setback for the human rights situation in the country, and the apparent involvement of the Government-affiliated Union Solidarity and Development Association in those events;

⁹ A/58/325 and Add.1.

¹⁰ See A/58/219.

(b) The detention and the house arrest of Daw Aung San Suu Kyi and the persistent denial of her human rights and fundamental freedoms, including freedom of movement, as well as the continued detention of other senior leaders of the National League for Democracy;

(c) The closure of offices of the National League for Democracy throughout the country and the increased surveillance and imprisonment of members and supporters of the National League for Democracy and other political organizations, as well as the continuing detentions, including of prisoners whose sentences have expired;

(d) The systematic and consistent harassment and intimidation of members of the National League for Democracy by members of the Union Solidarity and Development Association;

(e) The lack of cooperation shown by the Government of Myanmar towards the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar, in particular with regard to his proposal to visit ethnic nationality areas to investigate allegations of serious human rights violations;

3. *Expresses once again its grave concern at:*

(a) The ongoing systematic violation of the human rights, including civil, political, economic, social and cultural rights, of the people of Myanmar, in particular:

(i) Extrajudicial killing; continuing use of torture; rape and other forms of sexual violence persistently carried out by members of the armed forces; unsatisfactory conditions of detention; forced relocation; wide disrespect for the rule of law and lack of independence of the judiciary; trafficking in persons; forced labour, including child labour; destruction of livelihoods and confiscation of land by the armed forces; and violations of the right to an adequate standard of living, including food, medical care and education;

(ii) Denial of freedom of expression, including freedom of the media, of association, of assembly and of movement;

(iii) Discrimination and persecution on the basis of religious or ethnic background suffered by persons belonging to ethnic minorities, women and children;

(b) The situation of the large number of internally displaced persons and the flow of refugees to neighbouring countries, and recalls in this context the obligations of Myanmar under international law;

4. *Calls upon the Government of Myanmar:*

(a) To initiate a full and independent inquiry, with international cooperation, into the Depayin incident of 30 May 2003;

(b) To immediately facilitate and cooperate fully with the proposed investigation by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar into charges of rape and other abuse of civilians carried out by members of the armed forces in Shan and other states, including unhindered access to the region, and to guarantee the safety of those cooperating with and covered by the investigation;

(c) To immediately secure the safe and unhindered access to all parts of Myanmar of the United Nations and international humanitarian organizations to

ensure the provision of humanitarian assistance and to guarantee that it reaches the most vulnerable groups of the population;

(d) To pursue through dialogue and peaceful means an immediate end to conflict with all remaining ethnic groups with which ceasefire agreements have not yet been signed, and to live up to its obligations to improve the development and human rights situation in ceasefire areas;

(e) To take all necessary steps to pursue cooperation with the International Labour Organization, with a view to implementing fully the recommendations of the Commission of Enquiry established to examine the observance by Myanmar of the International Labour Organization Convention concerning Forced or Compulsory Labour, and to create an environment in which the Joint Government of the Union of Myanmar-International Labour Organization Plan of Action for the Elimination of Forced Labour Practices in Myanmar, in particular the facilitator mechanism which it established, may be implemented in a credible manner;

5. *Strongly urges* the Government of Myanmar:

(a) To end the systematic violations of human rights in Myanmar and to ensure full respect for all human rights and fundamental freedoms;

(b) To immediately and unconditionally release Daw Aung San Suu Kyi, other leaders of the National League for Democracy and members of the National League for Democracy detained on or after 30 May 2003 and to allow them to play a full role in bringing about national reconciliation and the transition towards democracy;

(c) To immediately and unconditionally release all other political detainees;

(d) To immediately reverse all the other "temporary" measures imposed following the incident of 30 May 2003, including by reopening all the offices of the National League for Democracy throughout the country;

(e) To immediately lift all restraints on peaceful political activity and to fully guarantee freedom of expression, including freedom of the media, association and assembly;

(f) To put an end to impunity by investigating and bringing to justice any perpetrators of human rights violations, including members of the military and of the Union Solidarity and Development Association, and other government agents in all circumstances;

(g) To enhance cooperation with the Special Envoy of the Secretary-General for Myanmar and the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar in order to assess first-hand the situation after 30 May 2003, to bring the country towards a transition to civilian rule, to ensure that they are both granted full and free access to Myanmar and that all persons cooperating with them are not subjected to any form of intimidation, harassment or punishment and, while in Myanmar, to provide them with equal access to the leaders and members of all the country's political parties, including the National League for Democracy;

(h) To restore democracy and respect the results of the 1990 elections and to enter immediately into substantive and structured dialogue with Daw Aung San Suu Kyi and other leaders of the National League for Democracy towards democratization and national reconciliation and, at an early stage, to include other political leaders in those talks, including representatives of the ethnic groups;

(i) To elaborate the road map, which is still lacking in essential elements such as concrete timing and an adequate plan for the involvement of all political groups and ethnic nationalities, in a way that ensures that the process is transparent and inclusive;

6. *Once again urges* the Government of Myanmar, as stated in its resolution 57/231 and in Commission on Human Rights resolution 2003/12:

(a) To ensure the independence of the judiciary and due process of law;

(b) To consider as a matter of high priority becoming a party to those remaining international human rights instruments to which it is not already party, and to comply fully with its obligations under international human rights instruments;

(c) To put an immediate end to the recruitment and use of child soldiers, inter alia, by some armed ethnic groups, and ensure their disarmament, demobilization and reintegration, to end systematic enforced displacement and provide protection and assistance to internally displaced persons, to allow the safe and dignified voluntary return of refugees, and to carry out the appropriate action to fight the HIV/AIDS epidemic;

7. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and people of Myanmar, including all relevant parties to the national reconciliation process in Myanmar;

(b) To report to the General Assembly at its fifty-ninth session and to the Commission on Human Rights at its sixtieth session on the progress made in the implementation of the present resolution;

(c) To give all necessary assistance to enable his Special Envoy to implement the present resolution and, in the context of the facilitation role, to explore any and all possibilities for discharging fully and effectively his mandate;

(d) To continue to give all necessary assistance to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar to enable him to discharge his mandate fully;

8. *Decides* to continue the consideration of this question at its fifty-ninth session.

79th plenary meeting
23 December 2003